

### REMARKS

The claims of parent application Serial No. 10/041,469 were subject to a requirement for restriction as set forth in the Action mailed March 25, 2002, and a subsequent Requirement for Election as set forth in the Action mailed July 29, 2002. In response to the restriction requirement, Applicants elected Claims device Claims 1-32, and in response to the election requirement, elected Embodiment 1, for prosecution in said parent application. Device claims directed to the non-elected Embodiment 2 are presented for examination in this divisional application.

The accompanying text for the specification and claims has been presented in accordance with the guidelines set forth in the notice entitled "Pre-Grant Publication Helpful Hint" of September 12, 2001, authored by Deputy Commissioner for Patent Examination Policy Stephen G. Kunin. Specifically, the specification reflects changes identical to amendments presented and entered in the parent application.

Specifically, paragraph [0023] has been amended to read:

"The amorphous material layer may be an amorphous dielectric layer, and the amorphous dielectric layer may be an amorphous silicon nitride layer, an amorphous alumina layer or a silicon oxide layer (SiO<sub>2</sub>)."

Action on the merits is solicited.

Respectfully submitted,

LEE & STERBA, P.C.

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